

EXHIBIT D

Mark B. Shoemaker, Esquire (MS8686)
WARD SHOEMAKER LLC
36 Euclid Street
Woodbury, NJ 08096
Phone (856) 853-7771 Fax (856) 853-0146
Counsel for Defendants

**UNITED STATES FEDERAL COURT
FOR THE
DISTRICT OF NEW JERSEY**

**MARYANN COTTRELL and RICHARD
HOLLAND**

Plaintiffs

vs.

DOCKET NO. 08-5418 (NLH)

**J&D DISCOUNT LIQUOR GALLERY,
INC., improperly pleaded as J&R Discount
Liquor Gallery, Inc. and DAVID J.
STROUT, JR.**

Defendant

CERTIFICATION OF COUNSEL

I, Mark B. Shoemaker, Esquire, of full age, do depose and say:

1. I am an attorney at law licensed to practice in the State of New Jersey and am a partner of the law firm Ward Shoemaker LLC. I have been entrusted with the handling of the above litigation, and, as a result, I am fully familiar with facts set forth herein.
2. On February 13, 2009, I wrote to the Municipal Court Clerk of the City of Woodbury requesting dispositions of the following Complaints:

SC-6253 (2006)
SC-6916 (2006)
SC-6991 (2006)
SC-7011 (2006)
SC-7593 (2007)

3. In response to my request, I received correspondence from Joan Reid, Deputy Court Administrator for the Woodbury Municipal Court dated February 17, 2009 attaching the dispositions to the five (5) Complaints requested in my letter.

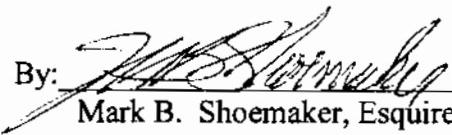
4. I have attached hereto a true, correct, and complete copy of the February 17, 2009 correspondence from Joan Reid, Deputy Court Administrator, with the five pages of attachments.

5. According to the dispositions, four (4) of the Complaints were dismissed, and a finding of not guilty was entered as to the fifth.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

WARD SHOEMAKER LLC
Attorneys for the Defendants,

Date: January 4, 2010

By: 
Mark B. Shoemaker, Esquire

F:\WPDOCS\THW\9280thw\p\Motion.Summary Judgment\Certification of Counsel.wpd

WOODBURY MUNICIPAL COURT



**200 NORTH BROAD STREET
WOODBURY, N.J. 08096
856-845-0691
WILLIAM J. GOLDEN, JUDGE**

February 17, 2009

Mark Shoemaker, Esquire
36 Euclid Street
PO Box 685
Woodbury, NJ 08096

Re: State v. J&D Liquors
Tickets SC-6253, SC-6916, SC-6991, SC-7011, SC-7593

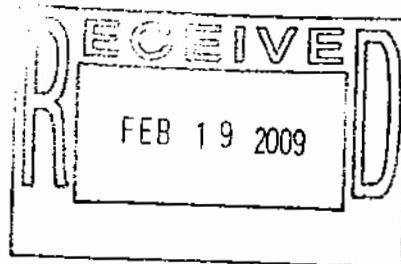
Dear Mr. Shoemaker:

Enclosed please find a copy of the dispositions on the above referenced matters as per your request.

Sincerely,

Joan Reid, DCA
Joan Reid
Deputy Court Admin.

Enclosures



Page: 1 Document Name: Untitled

WOODBURY CITY NJ AUTOMATED TRAFFIC SYSTEM 02/17/09
TFF00161 GENERAL INQUIRY 15:04
COURT: 0822 WOODBURY CITY TICKET NO: SC 006253 STATUS: DISP
VIOLATION: 39:4-1380 HANDICAPPED PARKING
VIOLATION DATE: 04/10/2006 65 MPH: N CONST ZONE: N PERS INJ: N CRT AP REQ: Y
ISSUED DATE: 04/10/2006 ISSUED BY: 08229999 TIME: 10:37 A PAYABLE: N SAF COR: N
MUN OF OFFENSE: 0822
DEFT NAME: J D LIQUORS DL: NA NA
ADDRESS 1: 430 N. BROAD ST DOB: SEX EYE RC: D O
ADDRESS 2: PHONE:
CITY: WOODBURY NJ 08096 PLATE: GDS2 NJ COMM LIC:
VEH: 2003 UNKN FORD BODY: 05
*** ASSESSED *** *** PAID *** *** COURT INFORMATION ***
FINE: DATE: 12/11/2006 10:00 A 0001 PLEA: 2
COST: *** DEFENDANT FOLLOW-UP ***
MISC: FTA: WARRANT:
PSUS: 00/00/0000 RECALL:
TOTAL: R/DSUS: BAIL SET:
BAIL POSTED: BAIL STATUS:
disbursed
DISPOSITION: FINDING: 3 DATE: 12/11/2006 SENT 1: 2:
CASE NOTES: CONFLICT COURT
F1: MORE DATA F2: DISP F3: BAIL F4: INV PERS F5: EVENTS F6: TPAY
F7: PYMTS F8: WARRANT F9: NOTES F10: SAVED LIST F13: D/L F14: PLATE

4-© 1 Sess-1 172.16.1.27 TM082201 3/47

Name: Joan.Reid - Date: 2/17/2009 Time: 3:04:08 PM

Page: 1 Document Name: Untitled

WOODBURY CITY NJ AUTOMATED TRAFFIC SYSTEM 02/17/09
 TFF00161 GENERAL INQUIRY 15:04
 COURT: 0822 WOODBURY CITY TICKET NO: SC 006916 STATUS: DISP
 VIOLATION: 39:4-207.9 FAILURE TO REMOVE SNOW FR HANDICAPPED PARKING SPACE
 VIOLATION DATE: 09/27/2006 65 MPH: N CONST ZONE: N PERS INJ: N CRT AP REQ: Y
 ISSUED DATE: 10/27/2006 ISSUED BY: 08229999 TIME: 10:22 A PAYABLE: Y SAF COR: N
 MUN OF OFFENSE: 0822
 DEFT NAME: J D LIQUORS DL: NA
 ADDRESS 1: 430 N. BROAD ST DOB: SEX EYE RC:
 ADDRESS 2: PHONE:
 CITY: WOODBURY NJ 08096 PLATE: 99999 NJ COMM LIC:
 VEH: 0000 UNKN OTHE BODY: 09
 *** ASSESSED *** *** PAID *** *** COURT INFORMATION ***
 FINE: DATE: 12/11/2006 10:00 A 0001 PLEA: 2
 COST: *** DEFENDANT FOLLOW-UP ***
 MISC: FTA: WARRANT:
 PSUS: 00/00/0000 RECALL:
 TOTAL: R/DSUS: BAIL SET:
 BAIL POSTED: BAIL STATUS:
 DISPOSITION: FINDING: 3 DATE: 12/11/2006 SENT 1: 2:
 CASE NOTES:
 F1: MORE DATA F2: DISP F3: BAIL F4: INV PERS F5: EVENTS F6: TPAY
 F7: PYMTS F8: WARRANT F9: NOTES F10: SAVED LIST F13: D/L F14: PLATE
 4-© 1 Sess-1 172.16.1.27 TM082201 3/47

Name: Joan.Reid - Date: 2/17/2009 Time: 3:04:15 PM

Page: 1 Document Name: Untitled

WOODBURY CITY NJ AUTOMATED TRAFFIC SYSTEM 02/17/09
 TFF00161 GENERAL INQUIRY 15:04
 COURT: 0822 WOODBURY CITY TICKET NO: SC 006991 STATUS: DISP
 VIOLATION: 39:4-207.9 FAILURE TO REMOVE SNOW FR HANDICAPPED PARKING SPACE
 VIOLATION DATE: 10/13/2006 65 MPH: N CONST ZONE: N PERS INJ: N CRT AP REQ: Y
 ISSUED DATE: 11/08/2006 ISSUED BY: 08229999 TIME: 12:32 P PAYABLE: Y SAF COR: N
 MUN OF OFFENSE: 0822
 DEFT NAME: J&D LIQUOR DL: NA
 ADDRESS 1: 430 N. BROAD STREET DOB: SEX EYE RC:
 ADDRESS 2: PHONE:
 CITY: WOODBURY NJ 08096 PLATE: 99999 NJ COMM LIC:
 VEH: 0000 UNKN BODY: 01
 *** ASSESSED *** *** PAID *** *** COURT INFORMATION ***
 FINE: DATE: 03/22/2007 09:00 A 0001 PLEA: 2
 COST: *** DEFENDANT FOLLOW-UP ***
 MISC: FTA: WARRANT:
 PSUS: 00/00/0000 RECALL:
 TOTAL: R/DSUS: BAIL SET:
 BAIL POSTED: BAIL STATUS:
 p6
 DISPOSITION: FINDING: 2 DATE: 03/22/2007 SENT 1: 2:
 CASE NOTES:
 F1: MORE DATA F2: DISP F3: BAIL F4: INV PERS F5: EVENTS F6: TPAY
 F7: PYMTS F8: WARRANT F9: NOTES F10: SAVED LIST F13: D/L F14: PLATE
 4-© 1 Sess-1 172.16.1.27 TM082201 3/47

Name: Joan.Reid - Date: 2/17/2009 Time: 3:04:21 PM

Page: 1 Document Name: Untitled

WOODBURY CITY NJ AUTOMATED TRAFFIC SYSTEM 02/17/09
 TFF00161 GENERAL INQUIRY 15:04
 COURT: 0822 WOODBURY CITY TICKET NO: SC 007011 STATUS: DISP
 VIOLATION: 39:4-207.9 FAILURE TO REMOVE SNOW FR HANDICAPPED PARKING SPACE
 VIOLATION DATE: 10/27/2006 65 MPH: N CONST ZONE: N PERS INJ: N CRT AP REQ: Y
 ISSUED DATE: 10/27/2006 ISSUED BY: 08229999 TIME: 12:03 P PAYABLE: Y SAF COR: N
 MUN OF OFFENSE: 0822
 DEFT NAME: J D LIQUORS DL: NA NA
 ADDRESS 1: 439 N. BROAD ST DOB: SEX EYE RC: D 0
 ADDRESS 2: PHONE:
 CITY: WOODBURY NJ 08096 PLATE: 99999 NJ COMM LIC:
 VEH: 0000 UNKN OTHE BODY: 09
 *** ASSESSED *** *** PAID *** *** COURT INFORMATION ***
 FINE: DATE: 12/11/2006 10:00 A 0001 PLEA: 2
 COST: *** DEFENDANT FOLLOW-UP ***
 MISC: FTA: WARRANT:
 PSUS: 00/00/0000 RECALL:
 TOTAL: R/DSUS: BAIL SET:
 BAIL POSTED: BAIL STATUS:
 DISPOSITION: FINDING: 3 DATE: 12/11/2006 SENT 1: 2:
 CASE NOTES:
 F1: MORE DATA F2: DISP F3: BAIL F4: INV PERS F5: EVENTS F6: TPAY
 F7: PYMTS F8: WARRANT F9: NOTES F10: SAVED LIST F13: D/L F14: PLATE
 4-0 1 Sess-1 172.16.1.27 TM082201 3/47

Name: Joan.Reid - Date: 2/17/2009 Time: 3:04:27 PM

Page: 1 Document Name: Untitled

WOODBURY CITY NJ AUTOMATED TRAFFIC SYSTEM 02/17/09
 TFF00161 GENERAL INQUIRY 15:04
 COURT: 0822 WOODBURY CITY TICKET NO: SC 007593 STATUS: DISP
 VIOLATION: 39:4-207.9 FAILURE TO REMOVE SNOW FR HANDICAPPED PARKING SPACE
 VIOLATION DATE: 04/27/2007 65 MPH: N CONST ZONE: N PERS INJ: N CRT AP REQ: Y
 ISSUED DATE: 05/23/2007 ISSUED BY: 08229999 TIME: 11:08 A PAYABLE: Y SAF COR: N
 MUN OF OFFENSE: 0822

DEFT NAME: J & D	LIQUORS	DL:	NA
ADDRESS 1: 430 N. BROAD ST		DOB:	SEX EYE RC:
ADDRESS 2:		PHONE:	
CITY: WOODBURY	NJ 08096	PLATE: 9999	NJ COMM LIC:
		VEH: 0000 UNKN	OTHE BODY: 09
*** ASSESSED *** *** PAID ***		*** COURT INFORMATION ***	
FINE:		DATE: 09/20/2007 10:00 A	0001 PLEA: 2
COST:		*** DEFENDANT FOLLOW-UP ***	
MISC:		FTA:	WARRANT:
TOTAL:		PSUS: 00/00/0000	RECALL:
		R/DSUS:	BAIL SET:
		BAIL POSTED:	BAIL STATUS:

DISPOSITION: FINDING: 3 *Dismissed* DATE: 09/20/2007 SENT 1: 2:
 CASE NOTES:
 F1: MORE DATA F2: DISP F3: BAIL F4: INV PERS F5: EVENTS F6: TPAY
 F7: PYMTS F8: WARRANT F9: NOTES F10: SAVED LIST F13: D/L F14: PLATE

4-© 1 Sess-1 172.16.1.27 TM082201 3/47

Name: Joan.Reid - Date: 2/17/2009 Time: 3:04:36 PM